

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

ABDUL HOWARD.

Plaintiff,

V.

BONNIE POLLEY, et al.,

Defendants.

Case No. 2:15-cv-01458-APG-VCF

ORDER DENYING MOTION FOR DEFAULT JUDGMENT

(ECF No. 17)

10 Plaintiff Abdul Howard moves for default judgment under Federal Rule of Civil
11 Procedure 55. As I previously explained in a prior minute order (ECF No. 16), a default
12 judgment can be entered only against a defendant who has been defaulted for not appearing. *See*
13 Fed. R. Civ. P. 55(b)(1). Thus, Howard first must move for entry of default against the defendants
14 under Federal Rule of Civil Procedure 55(a) before he may seek a default judgment against them.
15 Howard has not done so.

16 IT IS THEREFORE ORDERED that plaintiff Abdul Howard's motion for entry of default
17 judgment (**ECF No. 17**) is **DENIED** without prejudice as premature.

18 || DATED this 3rd day of August, 2016.


ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE